III. Remarks

Claims 1-11 are pending in this application. The following remarks are provided to facilitate early allowance of the currently claimed subject matter. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks and above amendments is respectfully requested.

In the Final Office Action, claims 1-7 and 10-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chmielewski et al. (USPN 5,946,465) "Chmielewski"; claim 9 was rejected under 35 U.S.C. § 102(e) as being anticipated by Takahashi et al. (USPN 6,539,481 B1) "Takahashi"; and claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Chmielewski in view of Takahashi. Applicant traverses these rejections for the following reasons.

In the Advisory Action of 3/29/05, the Examiner states, with respect to claims 1, 5, and 10, that Chmielewski teaches that when "the telnet server is sending WILL TIMING MARK or WONT TIMING MARK, it is determining from the client to see if the client is still holding the connection resource from the system without activity." Claim 1 now recites "a system which identifies whether the remote client is no longer using resources at the server, including determining whether the resources have been held by the remote client without *use of the resources* for a period longer than a preset threshold." Chmielewski does not teach determining

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whether the resources have been held by the remote client without *use of the resources*. Instead, Chmielewski makes its determination based on the *activity* of the telnet server (i.e., sending WILL TIMING MARK or WONT TIMING MARK), and does not examine whether the resources being held have been used.
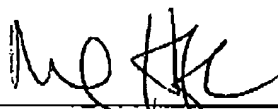
In Chmielewski, "Telnet server 250 issues in step 212 a DO TIMING MARK to Telnet client 252" (col. 3, lines 49-50), and no matter "whether the client responds to a DO TIMING MARK with a WILL TIMING MARK or a WONT TIMING MARK[,] the elapse time is [used] for calculating the RTT." (Col. 4, lines 28-31). "If, in step 266, it is calculated that the wait time (Δt) exceeds the previously calculated WAIT time, then in step 268 Telnet server 250 releases system resources being used by this client 252." (Col. 4, lines 39-42). In view of the foregoing, Chmielewski does not determine "whether the resources have been held by the remote client without use of the resources for a period longer than a preset threshold" as the current invention does. Instead, Chmielewski determines whether a remote client responds to an inquiry from a server within a preset time limit. Chmielewski will release system resources being used by a client if the client does not respond to an inquiry within a preset time limit even if the client is still using the resources. By sharp contrast, the current invention determines, *inter alia*, whether a client has not used the resources for a period longer than a preset threshold. In view of the forgoing, Chmielewski does not anticipate the current invention and Applicant respectfully requests withdrawal of the rejections.

With regarding to claim 9, Takahashi does not disclose "determining whether a client has been using a resource by *comparing a period of last use with a preset amount of allowable* time

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and, if not, automatically releasing the resource without further client communication." The

Takahashi system checks whether a use period of a temporary registered user is expired and if the

use period is expired, the Takahashi system, instead of "releasing the resource[,]" checks whether

the user is still using the resource by determining a last use date. (See, col. 8, lines 1-13.) In the

Takahashi system, if a user is still using a resource, the resource will not be released, even though

the use period is expired. (See, col. 8, lines 16-23. "If the user whose use period has expired is

using the system at the present, ... The message asks whether the user postpones the use

period... If the user requests a postponement of the expiration, a new use period is set [.]") Thus,

That is, Takahashi requires further communication before releasing the resource. Accordingly,

Applicant submits that because Takahashi fails to teach the features recited in claim 9, claim 9 is

not obvious.

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Applicant respectfully submits that the application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

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Dated: _____4\19\05_____

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